

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

M A R C H 2, 2 0 0 6

The regular meeting of the City Planning Commission and public hearing convened on March 2, 2006 at 1:31pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, California.

PRESENT: COMMISSIONERS: Matthew Jenkins, Charles Greenberg,
Charles Winn, Mitch Rouse,
Nick Sramek

ABSENT: EXCUSED: Leslie Gentile, Morton Stuhlbarg

CHAIRMAN: Matthew Jenkins

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolyn Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Lynette Ferenczy, Planner
Craig Chalfant, Planner
Lemuel Hawkins, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Rouse.

S W E A R I N G O F W I T N E S S E S

C O N S E N T C A L E N D A R

Commissioner Greenberg moved to approve the Consent Calendar as presented by staff. Commissioner Rouse seconded the motion, which passed 5-0. Commissioners Gentile and Stuhlbarg were absent.

1a. Case No. 0510-12, Conditional Use Permit, CE 05-192

Applicant: Permit Place c/o Mike Robinson
Subject Site: 2201 Lakewood Boulevard (Council Dist. 5)
Description: Conditional Use Permit for a check
cashing/money transfer store in an existing neighborhood
shopping center.

Continued to the March 16, 2006 meeting.

1b. Case No. 0512-12, Tentative Tract Map, CE 05-265

Applicant: Nady Hebish c/o Kenneth Davis
Subject Site: 1055 Orizaba Avenue (Council District 4)
Description: Request for approval of Tentative Tract Map
No. 063802 to convert a twenty three unit residential
apartment building into condominiums.

Approved Tentative Tract Map No. 063802 subject to conditions.

1c. Case No. 0512-03, Conditional Use Permit, CE 05-259

Applicant: T Mobile USA Inc.
Trillium Telecom Inc. Authorized Agent
Gil Gonzalez, Representative
Subject Site: 3747 Atlantic Avenue (Council District 8)
Description: A Conditional Use Permit to construct and
maintain a roof-mounted cellular and personal communication
facility, consisting of twelve (12) panel antennas and
accessory equipment.

Approved Conditional Use Permit subject to conditions.

1d. Case No. 0512-11, Tentative Tract Map, CE 05-264

Applicant: Robert Wallstrom for Villa del Sol LB, LLC
c/o K.C. Coultrup
Subject Site: 3225 Long Beach Blvd. (Council District 7)
Description: Request for approval of Tentative Tract Map
No. 064890 to convert an existing fifty-three unit
apartment building into condominiums.

Approved Tentative Tract Map No. 064890 subject to conditions.

1e. Case No. 0509-09, Site Plan Review, Lot Merger, Standards Variance, Sign Standards Waiver, ND 02-06

Applicant: Highland Carwash LLC c/o Alan Burks
Subject Site: 4000-4040 Atlantic Ave. (Council Dist. 8)
Description: Request for approval of a Site Plan Review, Lot Merger, Sign Standards Waiver and a Standards Variance to construct a one-story 11,843 sq.ft. commercial building with a request to locate a two-way driveway on Marshall Place with a reduced setback from the intersection of Atlantic Avenue and an architectural element over 28' in height.

Continued to the March 16, 2006 meeting.

1f. Case No. GPC 3-2-06

Applicant: Konti Chongo
Subject Site: 325 E. Anaheim Street (Council Dist. 1)
Description: Finding of conformity with the General Plan for an alley vacation.

Found the proposed alley vacation north of Anaheim Street between Alamo Court and Elm Avenue, as depicted in Exhibit A, in conformance with the adopted goals and policies of the City's General Plan.

R E G U L A R A G E N D A

2. Case No. 0405-15, Modification to an Approved Permit, ND 17-04

Applicant: Marisa Semense, IURD - Project ACHIEVE
Subject Site: 1368 Oregon Avenue (Council District 1)
Description: Modification of a previously approved Administrative Use Permit allowing establishment of a homeless shelter in an industrial building.

Craig Chalfant presented the staff report recommending approval of the request since it was minor and would not result in any substantial changes to the previously approved homeless shelter land use that could adversely impact surrounding properties; and since previously approved conditions of operation provide adequate safeguards against noise, loitering and other potentially adverse effects.

Deputy City Attorney Mais noted that the applicant had considered changing the name of the operating corporation which could possibly constitute a violation of Condition 37, but had decided not to transfer operations to a separate corporation.

Marisa Semense, 1368 Oregon Avenue, applicant, explained how they needed to extend the hours of operation to be able to successfully transport residents to their jobs.

In response to a query from Commissioner Greenberg, Mr. Chalfant confirmed that as per the Long Beach Police Department, there had been no recorded criminal activity at the site.

Commissioner Rouse added that he had talked to area businesses and reported that none of them seemed to have problems with the operation in the area.

Geoff Bennett, 655 W. 14th Street, President, Magnolia Industrial Group, expressed support for the request, confirming that it had operated above expectations as a model shelter.

Jack C. Smith, 2453 Golden Avenue, spoke against the request, saying that he felt the applicant should have known they needed extended hours of operation.

Mary Coburn, 100 W. Broadway, Suite 120, Operations Manager, Downtown Long Beach Association, expressed support for the request, saying she felt it was reasonable, but adding that she opposed any transfer of ownership of the operation.

Annie Greenfield-Wisner, 1951 Chestnut Avenue, resident, spoke against the request, saying she thought the timing of the request along with a potential transfer of operating corporation could be precedent-setting.

Jane Kelleher, 1724 Santa Fe, Westside PAC representative, said they thought the applicant should abide by the recently approved conditions of approval, and that they were concerned about a possible transfer of ownership.

Tom Popplewell, representing the shelter operator, stated they understood the City's concern and were trying to form a local committee to run the shelter under the direction of IURD sometime in the future.

In response to a question about future operations, Mr. Carpenter added that the City did not intend to end up as the operator of this shelter.

Mr. Mais noted that Condition 37 also required that the applicant enter into a recorded deed restriction requiring that they operate the facility, so any shift to another entity would be in violation of that condition and the Administrative Use Permit would be revoked unless it was modified through the City.

Commissioner Rouse asked why the operator would consider transferring responsibility so soon since being established, since they had approved the original request based on the trusted reputation of the current operator.

Commissioner Winn stated he felt it would be acceptable for the current operator to consult a locally-based group since they had demonstrated cooperation with the community in the past.

Commissioner Winn moved to approve the Administrative Use Permit Modification request, subject to conditions.

Commissioner Greenberg seconded the motion, saying he was impressed with the facility operations and the quality of the management, but confirming that the requirement for a deed restriction would guarantee that any management change would be overseen by the City.

Commissioner Sramek agreed that the facility was operating successfully, but reminded the applicants that the City would remain very sensitive to any changes at the facility.

The question was called and the motion passed 5-0.
Commissioners Gentile and Stuhlbarg were absent.

3. Case No. 0508-23, Conditional Use Permit, Administrative Use Permit, Standards Variance, CE 05-152

Applicant: Dr. Lawrence A. Lasisi, Pastor
Subject Site: 1925 & 1951 Pacific Ave.(Council District 6)
Description: Conditional Use Permit to allow the establishment of a church in the CNP Zone; a Standards Variance request for a reduced number of parking spaces and off-site parking without a deed restriction, and an Administrative Use Permit for off-site joint use parking.

Lynette Ferenczy presented the staff report recommending approval of the requests since positive findings could be made to support them, and a proposed bookstore would provide a pedestrian-oriented use in the district, while requiring completion of these improvements in a timely manner.

Pat Brown, 5390 E. 8th Street, representing the applicant, stated that they agreed with all the conditions of approval and felt the project would improve the area and increase sales tax revenues.

Pastor Lawrence A. Lasisi, 1925 Pacific Avenue, in response to queries from Commissioners Greenberg and Winn, explained that his church had been open one year and that there were no other churches with bookstores nearby.

Jane Kelleher, 1724 Santa Fe, Westside PAC member, stated that the group had voted unanimously against the applicant's requests.

Pat Paris, 3409 Colorado Street, CPAC Chairperson, also asked that the requests be denied since the group felt that a storefront church could become a code enforcement problem.

Joan Greenwood, 2091 San Francisco Avenue, President, Wrigley Association, said her group was not in support of the application because it was an inappropriate use for the already parking-impacted area.

Martha Thuente, 6670 Millmark Avenue, member, North PAC, also asked that the variances be denied because the operation could detract from the area's quality of life.

Annie Greenfield-Wisner, 1951 Chestnut Avenue, spoke against the request saying she understood that the applicant had been located nearby without appropriate permits and was asking for parking variances in a very impacted area.

Colleen McDonald, 525 W. 19th Street, agreed that the area was already parking impacted, and said she felt that allowing the use would make things worse for residents.

Gavin McKiernan, 1891 Ocean Avenue, Chairman, Neighborhood Advisory Committee for Wrigley area, spoke against the application, claiming that there was heavy opposition from area residents who worried about making the parking problem worse.

Craig Ward, Wards Furniture Company, 1855 Pacific Avenue, adjacent commercial use, objected to the applicant's request, saying that the use would be detrimental to the retail spirit of the shopping center, driving away potential customers and further impacting parking.

Allen Tolkoff, 2851 Chestnut Avenue, also objected to the request, saying he felt it would create a dangerous precedent for the CNP zone, given the applicant's history of ignoring codes and ordinances and inappropriateness of use in a retail center. Mr. Tolkoff also said he hoped a deed restriction would be mandatory to safeguard the parking impacted area.

Pat Brown said he felt the applicant would be a good neighbor serving the community and that the bookstore would be successful. Mr. Brown also noted that the church would mainly operate on Sundays with various after school, tutoring, computer learning and business seminars planned for other evenings.

In response to a query from Commissioner Greenberg regarding possible social service outreach efforts on the part of the church, Mr. Brown claimed that it was not their intention to establish homeless or drug counseling programs.

Commissioner Rouse said he could not support the request since the church would be sponsoring a broad range of activities in the facility without a deed restriction in the parking component.

Commissioner Sramek agreed, and added that the use was inappropriate for the area and would negatively affect retail growth, revitalization efforts and parking. Mr. Sramek added he felt the bookstore seemed to be an afterthought designed to fit into the shopping center.

Commissioner Sramek moved to deny the Conditional Use Permit, Administrative Use Permit and Standards Variance requests.
Commissioner Greenberg seconded the motion.

Pat Brown said he had thought the Pastor had already acquired the deed restriction, but that he would be able to get one in three weeks.

Commissioner Greenberg withdrew his second and the original motion died.

Commissioner Greenberg made a new motion to continue the item for one month to allow the applicant to obtain the deed restriction and return to the Commission. Commissioner Winn seconded the motion on the floor.

City Attorney Mais noted that Federal law protected this type of operation against religious discrimination and to a certain extent removed the City's ability to impose certain land uses. Mr. Mais said that even though the area was zoned for commercial use, turning down this application for lack of adequate parking would be permissible, but turning it down because of its location in a commercial zone and potential negative effect on business revitalization would not be.

Commissioner Winn withdrew his second of the motion on the floor, which then died.

Commissioner Greenberg moved to continue the item to the April 6, 2006 meeting to see if a deed restriction for the life of the church could be obtained. Commissioner Rouse seconded the motion, which passed 5-0. Commissioners Gentile and Stuhlbarg were absent.

4. Case No. 0512-30, Conditional Use Permit, Site Plan Review, Zone Change, NC 20-04

Appellant: Public Storage Inc c/o Martin Parker
of Pacific Planning Group
Subject Site: 4100 Cherry Avenue (Council District 7)
Description: Request for approval of a Zone Change for a portion of an existing self-storage facility from Regional Highway Commercial District (CHW) to Commercial Storage District (CS) and a Site Plan Review and Conditional Use Permit to expand the self storage facility by adding floor area within the existing building.

Lynette Ferenczy presented the staff report recommending approval of the Zone Change since the site is currently improved with an existing self-storage facility that has been operating for four years without any reported complaints or negative impacts to the neighborhood, and because it would provide consistency between the existing uses and the proposed zoning designation.

Jennifer Lauro, 23412 Moulton Parkway, #140, Laguna Hills, applicant, stated that they accepted all the conditions of approval.

Ray Pok, 7th District Council Office, stated that he had worked with the applicant to mitigate traffic impacts along Cherry to the satisfaction of the City Council.

Commissioner Sramek moved to certify the Addendum to Mitigated Negative Declaration 20-04; to recommend that the City Council approve a Zone Change from CHW (Regional Highway Commercial District) to CS (Commercial Storage), and to approve the Site Plan Review and Conditional Use Permit, subject to conditions. Commissioner Winn seconded the motion, which passed 5-0. Commissioners Gentle and Stuhlbarg were absent.

5. Case No. 0512-01, Conditional Use Permit, CE 05-256

Appellant: Sprint/Nextel Communications, Inc.
c/o Courtney Schmidt, Suresite Consulting
Subject Site: 5290 Long Beach Blvd. (Council District 8)
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a forty-five foot high monopole antenna structure designed as a palm tree with accessory equipment.

Lemuel Hawkins presented the staff report recommending denial of the request since the proposed monopole would be located within a half mile of another one run by the same carrier, and since the applicant has the ability to establish a roof-mounted facility on an existing multi-level structure with less visual impact.

Courtney Schmidt, 10640 Sepulveda Blvd., Mission Hills, applicant representative, noted that their intent was to camouflage the monopole, and she outlined their unsuccessful attempts to find other locations, including roof-mounted ones. Ms. Schmidt also asserted that they were not able to co-locate with Nextel at the site on the next agenda item.

Julio Hernandez, 18200 Von Karman, Suite 300, Irvine, applicant engineer, used detailed maps to explain the coverage objectives of the proposed installation.

In response to a query from Commissioner Rouse regarding staff's preferred location, Mr. Hawkins said that it would be the roof-mounted location and that the applicant would need a variance of 3' through the Site Plan Review. Ms. Schmidt stated that the parapet on the building in question would mandate a much higher antenna.

Commissioner Winn moved to temporarily table the item to allow staff to present Item #6. Commissioner Rouse seconded the tabling motion, which passed 5-0. Commissioners Gentile and Stuhlbarg were absent.

6. Case No. 0512-25, Conditional Use Permit, CE 05-273

Appellant: Nextel Communications Inc.
c/o Ed Gala, Representative
Subject Site: 5115 Atlantic Avenue (Council District 8)
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a forty-seven foot high monopole antenna structure designed as a palm tree with accessory equipment.

Lemuel Hawkins presented the staff report recommending denial of the request since the proposed monopole would be located within a half mile of another one run by the same carrier, and since the applicant has the ability to establish a roof-mounted facility on an existing multi-level structure with less visual impact.

Ed Gala, 310 Commerce, Irvine, Sprint/Nextel representative, clarified that the two permits involved different technologies and coverage goals, and that the goal for this facility was to offload phone traffic from the facility located at Market and Atlantic--a capacity issue, not a coverage one. Mr. Gala added that they planned to decommission a nearby site when this one was up and running. He also mentioned that they were unable to secure their first choice, the YMCA building, and that other locations did not have sufficient height for the purpose.

Lou Bucello, 310 Commerce Drive, Irvine, applicant representative, reiterated that the YMCA location had been their first choice but it would have required a tower, and the City was the underlying ground owner which would require revenue-sharing, an aspect that the YMCA refused to sign off on. Mr. Bucello detailed other sites examined, including a railroad yard.

Vince Jones, 2730 Monument Court, Concord, property owner of the Sprint site, expressed concern about the longevity of the different cell sites.

Mr. Carpenter noted that staff could research alternatives and help both applicants explore other options, including the CVS building, the YMCA and the railroad options.

Ms. Schmidt stated that while Sprint and Nextel were working together to locate both networks' overlapping sites, these two sites had already been examined and engineers had determined there were no synergy opportunities here.

Commissioner Greenberg moved to continue the item to the April 6, 2006 meeting to allow staff to explore other sites.
Commissioner Sramek seconded the motion, which passed 5-0.
Commissioners Gentile and Stuhlbarg were absent.

TABLED ITEM

5. Case No. 0512-01, Conditional Use Permit, CE 05-256

Appellant: Sprint/Nextel Communications, Inc.
c/o Courtney Schmidt, Suresite Consulting Group
Subject Site: 5290 Long Beach Blvd. (Council District 8)
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a forty-five foot high monopole antenna structure designed as a palm tree with accessory equipment.

Commissioner Greenberg moved to continue the item to the April 6, 2006 meeting to allow staff to explore other sites.
Commissioner Sramek seconded the motion, which passed 5-0.
Commissioners Gentile and Stuhlbarg were absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Greg Carpenter introduced Cuentin Jackson, a new planner.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

There were no matters from the Planning Commission.

A D J O U R N

The meeting adjourned at 5:03pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk